

Lawfulness and the legality of the use of means of coercion by the state security forces in Slovenia (1850-2010)

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Provisions governing the use of means of coercion by the Slovene security forces from their beginning in 1850 until today have been an expression of achieved development of the state which comprised the territory of the present Republic of Slovenia. The authority for these forces to use means of compulsion have in general been set out by laws, while their more detailed enforcement was left to regulations governing the execution of security tasks. It was a matter of balance between what was legal and what was right, i.e., what was allowed and how to enforce what was allowed. The number of permitted means of coercion has increased with time and increasing importance has been attributed to instruments that represented less immediate danger to the life and health of persons against whom they were directed.

In conjunction with the use of coercion, principles governing the use of means of coercion have also been developed, such as the principle of reporting the use of force, the principle of assessment of the justified use of force, the principle of proportionality, the principle of gradual response, the principle of providing help to wounded or injured persons, the principle of providing psycho-social assistance to police officers etc. A question that has gained increasing importance in recent decades is when and how to react against a crowd violating public order and peace or posing a threat to persons and property. In such cases, police officers have at their disposal the internal tactical materials, which, in addition to laws and regulations, provide a third kind of guideline to be used by police officers.

Key words: security forces, instruments of coercion, restrictions in use of force, development of principles of use of force

UDC: 351.741 (497.4)